

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ROSA BOURABAH,

Plaintiff,

v.

SOCIAL SECURITY ADMINISTRATION,

Defendants.

MEMORANDUM & ORDER

24-CV-2796 (HG)

HECTOR GONZALEZ, United States District Judge:

Plaintiff Rosa Bourabah commenced this *pro se* action against the Social Security Administration in the Kings County Civil Court seeking “Monies Due for \$25,000.00 with interest from 06/03/2023.” ECF No. 1. On April 15, 2024, the United States Attorney removed the action to this Court pursuant to 28 U.S.C. § 1442(a)(1). *Id.* Because Plaintiff failed to allege any facts in her complaint, the Court directed Plaintiff to file an amended complaint by May 23, 2024. ECF No. 2. The Court sent its Order to two separate addresses for Plaintiff—the address that Plaintiff included when she filed her civil action and the address that the United States Attorney provided for Plaintiff when removing the case. Both copies of the Court’s Order were returned by the United States Postal Service (“USPS”) as undeliverable. ECF Nos. 3–4.

On May 13, 2024, the Court directed Defendant to review its records and provide a revised address for Plaintiff, which Defendant did on May 22, 2024. ECF No. 5. On May 23, 2024, the Court issued another Order directing Plaintiff to file an amended complaint by June 24, 2024, and mailed a copy of its Order to the new address provided for Plaintiff.¹ ECF No. 6. On June 5, 2024, that Order was also returned to the Court by USPS as undeliverable. ECF No. 7.

¹ The new address, was the same as one of the addresses at which the Court had previously attempted to contact Plaintiff except that it included an apartment number.

Unfortunately, the Court has no other method of contacting Plaintiff as Plaintiff did not provide a phone number or email address when she filed her complaint. To date, Plaintiff has failed to update her address or otherwise contact the Court regarding this action.²

All plaintiffs, even those proceeding pro se, are “obligated to notify the court when [they] change addresses.” *Canario–Duran v. Borecky*, No. 10-cv-1736, 2011 WL 176745, at *1 (E.D.N.Y. Jan. 19, 2011). Accordingly, since Plaintiff has failed to keep the Court apprised of her current address and the Court has no way of contacting Plaintiff, this action is dismissed without prejudice. *Burney v. Rivera*, No. 12-cv-4962, 2014 WL 2123087, at *2 (E.D.N.Y. May 21, 2014) (A pro se litigant’s failure to provide the Court with notice of a change of address warrants dismissal without prejudice); *see also Edwards v. Stevens*, No. 11-cv-7329, 2012 WL 3597663, at *2 (S.D.N.Y. Aug. 22, 2012) (holding that where “a plaintiff fails to provide the Court with [their] current address, dismissal pursuant to Fed.R.Civ.P. 41(b) without prejudice is appropriate”); *Pratt v. Behari*, No. 11-cv-6167, 2012 WL 1021660, at *1 (S.D.N.Y. Mar. 26, 2012) (because litigation “cannot proceed without a current address for the plaintiff,” courts have repeatedly held that a plaintiff’s “failure to maintain such an address with the Court” is a sufficient ground to dismiss without prejudice).

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962). The Clerk of Court is

² The Court acknowledges that it is possible that Plaintiff may not know to contact this Court as she filed the case in Kings County Civil Court and it was removed to this Court by the Defendant. However, the Court assumes that if Plaintiff were to contact the Kings County Civil Court she would be notified that the action is no longer pending there and would be prompted to contact this Court.

respectfully directed to enter judgment and to close this case. While it may be returned, the Court nonetheless directs the Clerk of Court to mail a copy of this Memorandum & Order to Plaintiff's last known address and to note service on the docket.

SO ORDERED.

/s/ Hector Gonzalez
HECTOR GONZALEZ
United States District Judge

Dated: Brooklyn, New York
June 27, 2024